

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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|-----------------------|---|--------------|
| GENTEX CORPORATION | : | |
| | : | CIVIL ACTION |
| v. | : | |
| | : | |
| SUPERIOR MOLD COMPANY | : | NO. 20-632 |

ORDER

AND NOW, this 29th day of December 2020, for the reasons set forth in the foregoing Memorandum, it is hereby ORDERED that:

(1) the motion of Gentex Corporation ("Gentex") to dismiss Superior Mold Company's ("Superior") counterclaims pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure (Doc. # 33) is GRANTED in part and DENIED in part;

(2) the motion of Gentex to dismiss Superior's counterclaims for promissory estoppel (Count II), unjust enrichment (Count III), and quantum meruit (Count V) is GRANTED;

(3) the motion of Gentex to dismiss Superior's counterclaims for breach of contract (Count I) and misappropriation of intellectual property (Count IV) is DENIED; and

(4) the alternative motion of Gentex for a more definite statement pursuant to Rule 12(e) of the Federal Rules of Civil Procedure is DENIED.

BY THE COURT:

/s/ Harvey Bartle III

J.